



# COUNCIL

## Hundred and Seventy-seventh Session

Rome, 7-11 April 2025

### Report of the 122nd Session of the Committee on Constitutional and Legal Matters (Rome, 3-5 March 2025)

#### Executive summary

In the Report of its 122nd Session, the Committee on Constitutional and Legal Matters:

- 1) **brings to the attention of the Council, for endorsement**, its considerations and conclusions regarding Recommendation 7 of the JIU Report *Review of the state of the investigation function: progress made in the United Nations system organizations in strengthening the investigation function* (JIU/REP/2020/1); and
- 2) **informs the Council** of its considerations related to the updates it received on:
  - a) the dissemination of Memoranda of Understanding signed by the Food and Agriculture Organization of the United Nations (FAO);
  - b) JIU Report *Review of management and administration in the Food and Agriculture Organization of the United Nations* (JIU/REP/2023/5);
  - c) The inaugural Treaty Ceremony; and
  - d) the activities of FAOLEX.

### Suggested action by the Council

The Council is invited to:

- 1) **endorse the considerations and conclusions** of the Committee on Recommendation 7 of the JIU Report *Review of the state of the investigation function: progress made in the United Nations system organizations in strengthening the investigation function* (JIU/REP/2020/1).
- 2) **note** the Committee's considerations on:
  - a) the dissemination of Memoranda of Understanding signed by FAO;
  - b) the JIU Report *Review of management and administration in the Food and Agriculture Organization of the United Nations* (JIU/REP/2023/5);
  - c) the inaugural Treaty Ceremony; and
  - d) the activities of FAOLEX.

*Queries on the substantive content of this document may be addressed to:*

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## I. Introduction

1. The Hundred and Twenty-second Session of the Committee on Constitutional and Legal Matters (the “Committee” or the “CCLM”) was held from 3 to 5 March 2025.
2. The Session, open to silent observers, was chaired by H.E. Ms Céline Jurgensen (France), who welcomed all the participants.
3. The following Members joined the Session:
  - Ms Emma Hatcher (Australia)
  - Ms Qamer Hameed (Canada)
  - Mr Purna Cita Nugraha (Indonesia)
  - Ms Marie-Lise Stoll (Luxembourg)
  - Mr Ousmane Diop Fall (Senegal)
  - H.E. Mr Sayed Altayeb Ahmed (Sudan)
  - H.E. Ms Marilyn Giuseppina Di Luca Santaella (Venezuela, Bolivarian Republic of)
4. The Committee was informed that Mr Ousmane Diop Fall had replaced Mr Madiagne Tall as the representative of Senegal for the remainder of the term of office, and that H.E. Ms Marilyn Giuseppina Di Luca Santaella had replaced H.E. Ms Haifa Aissami Madah as the representative of the Bolivarian Republic of Venezuela for the remainder of the term of office.
5. The CCLM Members participated in person at the Food and Agriculture Organization of the United Nations (FAO) headquarters.

## II. Item 1: Adoption of the agenda and arrangements for the Session (CCLM 122/1)

6. The Committee took note of the arrangements for the Session and approved its Agenda.

## III. Item 2: Update on the Dissemination of Memoranda of Understanding signed by FAO (CCLM 122/2)

7. The Committee considered document CCLM 122/2 *Update on the Dissemination of Memoranda of Understanding signed by FAO*.
8. The Committee welcomed the update on the dissemination of Memoranda of Understanding (MoUs) signed by FAO.<sup>1</sup> The Committee also welcomed the mandatory inclusion of the dissemination clause in all MoUs concluded by the Organization, including those with intergovernmental organizations (IGOs), academia and research institutions, civil society organizations (CSOs), and private sector entities (PSEs).
9. The Committee acknowledged the ongoing efforts to expand the CONNECT Portal to provide a single corporate platform for accessing all MoUs signed by FAO, including those with academia, research institutions and CSOs. Recognizing that this is an ongoing process expected to be concluded by 2026, the Committee urged the Secretariat to expedite dissemination, in particular regarding the MoUs with academia, research institutions and CSOs already containing the dissemination clause. The Committee requested that any new MoU be uploaded and made available swiftly to Members.
10. The Committee looked forward to receiving an update at its next Session.

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<sup>1</sup> The scope of MoUs is explained in [CCLM 119/3](#), paragraph 4.

**IV. Item 3: Recommendation 7 of the JIU Report *Review of the state of the investigation function: progress made in the United Nations system organizations in strengthening the investigation function* (JIU/REP/2020/1) (CCLM 122/3)**

11. The Committee reviewed document CCLM 122/3 *Recommendation 7 of the JIU Report "Review of the state of the investigation function: progress made in the United Nations system organizations in strengthening the investigation function"* (JIU/REP/2020/1).
12. The Committee was presented with written comments from Australia and Indonesia before the Session. Canada and Venezuela (Bolivarian Republic of) submitted written comments during the Session. Some other Members may transmit written comments after the Session.
13. The Committee welcomed its informal joint working sessions with the Finance Committee and the written contributions submitted by Members. It looked forward to further joint informal working sessions.
14. The Committee looked forward to receiving updated draft procedures at its next Session, revised to take into account inputs received and its deliberations.
15. The Committee took note of developments in other UN Specialized Agencies, encouraged the Secretariat to continue to monitor these developments and recommended that good practices from those Agencies be considered when further developing the procedures.
16. The Committee stressed the importance of concluding the elaboration of appropriate procedures in a timely manner.

**V. Item 4: JIU Report *Review of management and administration in the Food and Agriculture Organization of the United Nations* (JIU/REP/2023/5)**

17. The Committee recalled that several recommendations of the JIU Report *Review of management and administration in the Food and Agriculture Organization of the United Nations* (JIU/REP/2023/5) have or may have legal implications. The Committee recalled the Report of its 121st Session in which it expressed its readiness to provide further advice on the constitutional and legal aspects of this question, in accordance with its mandate.
18. The Committee was informed on the updates on recommendations 2, 3 and 10, and that, regarding recommendation 3, the Administrative Manual was being updated in order to well define the functions, responsibilities and operating procedures of Regional, Subregional and Country Offices.

**VI. Item 5: Treaty Event: update on arrangements (CCLM 122/4)**

19. The Committee considered document CCLM 122/4 *Treaty event: update on arrangements* and welcomed the efforts of the FAO Legal Office in this regard.
20. The Committee encouraged the Legal Office to continue its outreach efforts with a view to promoting participation at this inaugural Treaty Ceremony, observing that this was an opportunity to highlight the normative work of the Organization and the commitments made by its Members.
21. Recalling its recommendation to hold an informal briefing for all Members on its activities and relevant areas of FAO expertise, the Committee observed that this may be an opportunity to raise awareness for such Treaty Ceremony. The Committee welcomed the Secretariat's indication that a technical note with further information regarding the inaugural Treaty Ceremony will be transmitted to Members.

## VII. Any other matters

22. The Committee welcomed the presentation on FAOLEX, the Organization's main database of national and regional legislation and policy instruments, and encouraged the Secretariat to seize the opportunity of the 30th Anniversary of FAOLEX and 80th Anniversary of FAO to raise awareness of this global public good.

23. A Member exerted its right to ask a question regarding document CL 176/12.<sup>2</sup> Some Members noted that the topic is beyond the Committee's present mandate.<sup>3</sup>

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<sup>2</sup> *FAO@80: Proposals for Institutional Renewal - Strengthen the agrifood systems we need for a better world and a better future for all*

<sup>3</sup> Australia, Canada and Luxembourg disassociated themselves from the inclusion of this paragraph in the Report.